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December 26, 2013

The Honorable Robert B. Kugler
U.S. Courthouse
4th & Cooper Streets
Camden, NJ 08101

Re: Del Monte Fresh Produce Int'l. et al. v. M/V GREEN BRAZIL,
et al., 13-cv-07632-RBK
Our File No. 3828-001

Dear Judge Kugler:

We represent defendant Green Shipping AS, the registered owner of the defendant vessel GREEN BRAZIL in the above referenced action. On December 24, 2013, we filed an Emergency Motion to Enjoin Spoliation of Evidence by the Plaintiffs, together with a proposed order.

Subsequent to the filing of the motion, counsel for the plaintiffs and lead counsel for the defendant in New York have reached an agreement regarding preservation and inspection of the cargo which was going to be destroyed today, December 26th.

In the circumstances we now write to inform your Honor that the issue which was the subject of the motion has been resolved and that defendant Green Shipping AS withdraws its motion without prejudice.

Respectfully,

PALMER BIEZUP & HENDERSON LLP



By:

Frank P. DeGiulio

Cc: Martin F. Casey, Esq.
Matthew B. Wieliczko, Esq.
FPD

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